

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LEIGHTON TECHNOLOGIES LLC,)
)
Plaintiff,)
)
vs) Case No.
) 04-cv-02496 (CM) (LMS)
OBERTHUR CARD SYSTEMS, S.A.,)
OBERTHUR CARD SYSTEMS OF)
AMERICA CORPORATION,)
)
Defendants.)

ORIGINAL

Deposition of Richard Smith

taken on

Wednesday, November 16, 2005

Reported by: Emma P.J. White

1 is that we were identifying the best pressure at the
2 set point within the process.

3 **BY MR. BLAIR JACOBS:**

4 Q. Is the set point the fusion point?

5 A. No.

6 Q. What is the set point?

7 A. At any given point.

8 Q. How did you go about identifying the set
9 point?

10 A. What we found is that in heating to the
11 fusion point this was not -- it was not acceptable
12 to have a high pressure whilst the material was at
13 its fusion point.

14 Q. When you say, "It was not acceptable to have
15 high pressure", what range of pressure was acceptable,
16 using pounds per square inch?

17 A. I think that is a very difficult question
18 to answer, because it would be dependent on the sheet
19 size and materials. There was a large variation
20 within pressures that were needed for different
21 products.

22 Q. What were the problems associated with the
23 pressure being too high during the point before the
24 fusion point?

25 A. Distortion.

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1 Q. Were there any type of problems that you
2 encountered in the manufacturing of smart cards that
3 you did not encounter with regard to the manufacturing
4 of --

5 A. In the early days, and I refer to 1988-1990,
6 the design of the contactless smart card was such that
7 it was very vulnerable to pressure under lamination.

8 Q. How was it vulnerable to pressure under
9 lamination?

10 A. The application of too great a pressure
11 prior to the surrounding plastic material being at
12 the correct temperature could cause cracking of the
13 silicone element.

14 Q. Could it also cause damage to the electronic
15 element?

16 MR. JAMES JACOBS: Objection.

17 BY MR. BLAIR JACOBS:

18 Q. You can answer?

19 A. I think that you would define the silicone
20 as the, "Electronic element2.

21 Q. You say that part of your solution was using a
22 higher pressure during the cooling cycle with regard
23 to the Series 6 laminator.

24 Could you describe that process, please?

25 A. Yes. I have mentioned earlier that to